



ILLINOIS COMMERCE COMMISSION

October 20, 2005

Williamson County, Illinois; Williamson Energy LLC; and Williamson
Transportation LLC,
Petitioners,

Vs.

Illinois Department of Transportation,
Respondent.

Petition seeking the establishment of new railroad-highway grade crossings in
Williamson County for the construction of new railroad spur tracks to serve a
mine.

Mr. John H. Doeringer
Attorney at Law
21470 Main Street, #108
Matteson, IL 60443

Dear Mr. Doeringer:

Receipt is acknowledged of the original and two (2) copies of the Petition filed October 19, 2005
in the above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies
and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce
Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original
electronically through E-docket if you have an account. To apply for an account, please log on to
www.icc.state.il.us and apply for an E-docket account.**

Processing and Information Section

KI

Cc: Mr. Victor A. Modeer, IDOT
Ms. Ellen Schanzle-Haskins, IDOT
Mr. Mack Shumate, Jr., UP
Mr. Dave McKernan, UP
Mr. Michael Barron, IC
Mr. James Kvedaras, IC
Mr. James Webb, Williamson County

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BEFORE THE ILLINOIS COMMERCE COMMISSION

WILLIAMSON COUNTY, ILLINOIS
WILLIAMSON ENERGY LLC and
WILLIAMSON TRANSPORTATION LLC

Petitioners

vs.

ILLINOIS DEPARTMENT OF TRANSPORTATION

Respondent

Petition seeking the establishment of new
railroad-highway grade crossings in
Williamson County for the construction of
new railroad spur tracks to serve a mine.

PETITION

Petitioners Williamson County, Williamson Energy LLC and
Williamson Transportation LLC herewith petition the Illinois
Commerce Commission to establish and maintain new railroad-
highway grade crossings in Williamson County, Illinois, for
new railroad spur tracks to serve a new coal mine. They
show to the Commission the following facts:

1. Williamson County, Illinois is located in Southern Illinois,
with county seat at Marion. All roads mentioned in this
Petition are owned, maintained and controlled by Williamson
County. By resolution, the County has consented to the new
railroad crossings; a copy of the resolution is attached hereto.
2. Petitioner Williamson Energy LLC, headquarters located in
Marion IL, is developing a new coal mine east of Johnston City
in Williamson County. Coal produced by the mine will be sold
and shipped by railroad to various destinations. Two major
railroads operated in the vicinity: Union Pacific and Canadian
National. Spur tracks are to be built by Williamson Transportation
LLC from the mine to connect with these two carriers. Maps of
locations are attached to this petition.

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Illinois Commerce Commission
RAIL SAFETY SECTION

T05-0058

DOCKETED

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3. Petitioners seek to establish railroad-highway grade crossings, with automatic flashing lights, bells and gates, at the following roads:

Spur east of mine: Crawford Road, Thompsonville Road,
Jordans Fort Road, Dwina Road

Spur west of mine: Liberty School Road, Williams Prairie Road,
Harris School Road, Old Ben Road,
Old Frankfort Road, Monroe Road

These roads are all two-lane paved roads carrying general highway traffic in Williamson County.

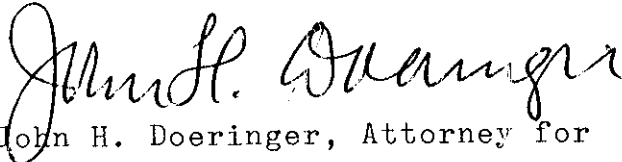
4. Crossing surfaces of the grade crossings will be timber and asphalt on wooden ties, which are normal duty road crossings. The traffic on all roads is normal to light.

5. Petitioners herein have arranged for funding the construction of the crossings and warning devices. There is no request here for funding through the Grade Crossing Protection Fund.

6. In the construction of the spur tracks, provision will be made for a side spur or two, one in the vicinity of Jordans Fort Road, for the development of other railroad-oriented business and customers in the area.

WHEREFORE Petitioners request the Commission to investigate the matters contained in this Petition, to hold a public hearing at the Commission's office if a hearing is deemed necessary, and to enter an Order granting this Petition.

Respectfully submitted,

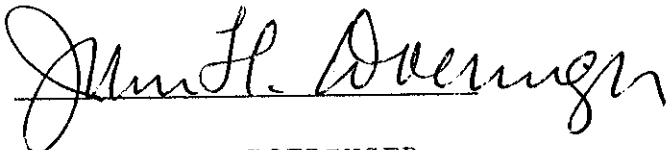

John H. Doeringer, Attorney for
Petitioners

21470 Main Street
Matteson' IL 60443
Tel. 708-748-0301
Fax 708-748-4070

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing Petition and attachments upon Jeffrey Harpring, Illinois Department of Transportation, Bureau of Local Roads, 2300 S. Dirksen Parkway, Springfield, IL by first class mail with postage prepaid.

Dated this 17th day of October, 2005.


JOHN H. DOERINGER

RESOLUTION NO. 05-10-11-76

RESOLUTION OF THE COUNTY BOARD FOR THE COUNTY OF WILLIAMSON, STATE OF ILLINOIS, AUTHORIZING THE CROSSING OF COUNTY ROADS AND HIGHWAYS BY WILLIAMSON TRANSPORTATION, LLC

WHEREAS, Williamson Transportation, LLC has requested authorization from the County Board for the County of Williamson, State of Illinois, to construct and operate a railroad that crosses certain county roads and highways for the transportation of coal and other products by Williamson Transportation, LLC in the County of Williamson, State of Illinois; and

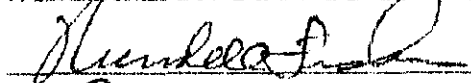
WHEREAS, a proposed Agreement Between the County of Williamson, State of Illinois, and Williamson Transportation, LLC Authorizing at grade crossing, minor adjustments in profile, and the closure and barricading of certain roads at the proposed Railroad Right of Way of County Roads and Highways to accommodate the construction and operation of a Railroad from the Union Pacific Mainline to the Pond Creek 1 coal mine in Lake Creek Township; from the Pond Creek 1 coal mine in Lake Creek Township to the Canadian National Railroad in Corinth Township, all in County of Williamson, State of Illinois has been prepared, and has been discussed and considered by the County Board; and

WHEREAS, the County Board for the County of Williamson, State of Illinois, deems that it would promote the general welfare of the County and its inhabitants and would be in the best interests of the County and its inhabitants to enter into said Agreement with Williamson Transportation, LLC;

NOW, THEREFORE, the County Board for the County of Williamson, State of Illinois, does resolve that the Agreement Between the County of Williamson, State of Illinois, and Williamson Transportation, LLC Authorizing various methods of crossing of County Roads and Highways for a Railroad from the Canadian National Mainline to the Pond Creek 1 coal mine attached hereto be and the same is hereby approved pursuant to and in accordance with the statutory authority in such case made and provided; the Chairman of the County Board for the County of Williamson, State of Illinois, is authorized and directed to execute said Agreement for and on behalf of the County of Williamson, State of Illinois, and to deliver the same to Williamson Transportation, LLC.

On roll call vote Resolution No. 05-10-11-76 was passed and approved this 11th day of October, 2005.


WILLIAMSON COUNTY COMMISSIONERS

 VOTING yea
Wendell Fisher, Chairman

 VOTING yea
Robert Barnett, Commissioner

 VOTING yea
Brent Gentry, Commissioner

ATTEST:


Sandra K. Jent, County Clerk and Recorder

Roads Information for Illinois Commerce Commission Petition

| Road Name | Jurisdiction | Surface Type | Roadway Width | Shoulder Width | Ave Daily Traffic | Traffic Direction | Distance Between | Crossing Type |
|-----------------------|--------------|---------------------|---------------|----------------|-------------------|-------------------|------------------|-----------------|
| Monroe Avenue | County | Asphalt Chip & Seal | 20 ft | 2 ft | 400 | NS | 1500 ft | at grade |
| Duncan Road | County | Asphalt Dust Seal | 14 ft | 2 ft | <50 | NS | 1500 ft | close |
| Eberhardt Road | County | Asphalt Dust Seal | 15 ft | 2 ft | <50 | EW | 2500 ft | close |
| Old Frankfort Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 800 | NS | 2800 ft | at grade |
| Old Ben Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 225 | NS | 2000 ft | at grade |
| Harris School Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 175 | NS | 8600 ft | at grade |
| Williams Prairie Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | <50 | NS | 7700 ft | at grade |
| Liberty School Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 150 | NS | 3200 ft | at grade |
| | Mine Site | | | | | | 5400 ft | |
| Dwina Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 175 | NS | | at grade |
| Jordans Fort Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 100 | NS | 5400 ft | at grade |
| Thorn Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 125 | EW | 1800 ft | close w/by-pass |
| Thomsonville Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 375 | NS | 9100 ft | at grade |
| Crawford Road | County | Asphalt Chip & Seal | 20 ft | 2 ft | 125 | NS | 8300 ft | at grade |
| | | | | | | | 2200 ft | |

Union Pacific Mainline

Canadian National Mainline